

UNITED STATES GENERAL ACCOUNTING OFFICE
DIGESTS OF PUBLISHED DECISIONS
of the Comptroller General of the United States

41-48

June 15 through 20, 1962

B-148879, June 15, 1962 *

Digest 430

Travel Expenses--Air Travel--Reservation Penalties--Liability

A passenger reservation penalty charged by an airline pursuant to its tariff against a Government employee who fails to use or to cancel confirmed reserved space for official travel due to unavoidable official circumstances, or for reasons beyond his control and acceptable to the employing agency is regarded as a necessary cost of travel and is payable from Government funds; however, if the failure to cancel or use the passenger space results from reasons other than performance of official business, or for reasons not beyond his control the employee is liable for the penalty.

Digest 431

Travel Expenses--Air Travel--Reservation Penalties--Recovery

Where an air carrier becomes liable for liquidated damages for failure to provide a Government employee on official travel with confirmed reserved space, the Government is regarded as damaged by the carrier's default, and since the employee is precluded from accepting payments from private sources as a result of the performance of official duties the payment should be made to the Government and deposited into miscellaneous receipts.

Digest 432

Travel Expenses--Air Travel--Reservation Penalties--Liability

The liability of the Government to pay the cost of official travel of its employees is not dependent upon the use of Government Transportation Requests so that a penalty charged by an airline against an employee who, for unavoidable official reasons or reasons beyond his control and acceptable to the employing agency, is unable to cancel or use confirmed reserved space is for payment by the Government whether the employee uses cash or a transportation request for the official travel.

B-148972, June 15, 1962 *

Digest 433

Bids--Late--Premature Opening

A bidder who, two minutes before the time scheduled for bid opening had his low bid for a combination of construction projects rejected as late by the contracting officer who, because his watch was four minutes fast, had begun to read the first bid--subsequently determined to be the fourth low bid on only one project--may not be regarded as having an unfair advantage over other bidders by reason of the reading of bids and such bid, accepted by the contracting officer 30 minutes after bid opening, should not be precluded from consideration under the invitation instruction, which provided that no bids would be considered if received after the reading of bids had begun.

Digest 434

Bids--Late--Premature Opening

To reject a low bid which was not accepted until 30 minutes after opening but which is shown to be the same one the bid opening officer had rejected as late two minutes before the scheduled time for bid opening because he had prematurely commenced the reading of the bids would not be fair or equitable to the bidder who was placed in the position of having submitted a late bid by the actions of the Government, and in the absence of any evidence showing an advantage over other bidders or imprudence in pricing the low bid should be considered as validly tendered prior to bid opening.

June 18 - 19, 1962 - No Digests

B-147582, June 20, 1962 *

Digest 435

Transportation--Household Effects--House Trailer Shipment--Reimbursement

When employees transport household goods and personal effects in their house trailers and the effects are for use incident to the occupancy of the trailers as residences, the reimbursement provisions in section 1(b) of the Administrative Expenses Act of 1946, as amended, 5 U.S.C. 73b-1(b), do not give the employees an election to be reimbursed on either a commuted basis for transportation of household goods or a mileage rate basis for transportation of the trailer, but instead require that reimbursement be made on a mileage basis only.

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